

1 BILL NO. R-84-04- 27

2 DECLARATORY RESOLUTION NO. R- 53-84

3 A DECLARATORY RESOLUTION designating
4 an "Economic Revitalization Area"
under I.C. 6-1.1-12.1.

5 WHEREAS, Petitioner has duly filed its petition dated
6 April 12, 1984, to have the following described property desig-
7 nated and declared an "Economic Revitalization Area" under Divi-
8 sion 6, Article II, Chapter 2 of the Municipal Code of the City
9 of Fort Wayne, Indiana, of 1974, as amended, and I.C. 6-1.1-12.1,
10 to-wit:

11 The North 160 feet of the South 205
12 feet of the East 175 feet of the
13 West 220 feet of the South half of
the Northwest Quarter of Section 29,
14 Township 31 North, Range 13 East,
Allen County, Indiana containing
0.643 acre and subject to ease-
15 ment of record;

16 said property more commonly known as Northeast corner of Trier and
17 Hobson Road, Fort Wayne, Indiana;

18 WHEREAS, it appears that said petition should be pro-
19 cessed to final determination in accordance with the provisions
20 of said Division 6.

21 NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL
22 OF THE CITY OF FORT WAYNE, INDIANA:

23 SECTION 1. That, subject to the requirements of Section
24 4, below, the property hereinabove described is hereby designated
25 and declared an "Economic Revitalization Area" under I.C. 6-1.1-
26 12.1. Said designation shall begin upon the effective date of
27 the Confirming Resolution referred to in Section 3 of this Resolu-
28 tion and shall continue for one (1) year thereafter. Said desig-
29 nation shall terminate at the end of that one-year period.

30 SECTION 2. That upon adoption of this Resolution:

31 (a) Said Resolution shall be filed with the Allen
32 County Assessor;

(b) Said Resolution shall be referred to the Committee on Finance and shall also be referred to the Department of Economic Development requesting a recommendation from said department concerning the advisability of designating the above designated area an "Economic Revitalization Area";

(c) Common Council shall publish notice in accordance with I.C. 5-3-1 of the adoption and substance of this Resolution and setting this designation as an "Economic Revitalization Area" for public hearing;

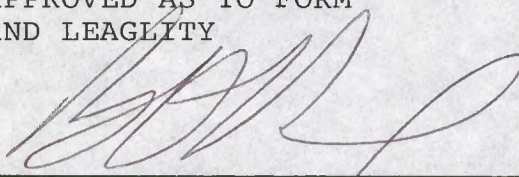
(d) If this Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, then the Resolution shall be referred to the Fort Wayne Redevelopment Commission and said designation as an "Economic Revitalization Area" shall not be finally approved unless said Commission adopts a resolution approving the petition.

SECTION 2. That this Resolution shall be subject to being confirmed, modified and confirmed or rescinded after public hearing and receipt by Common Council of the above described recommendations and resolution, if applicable.

SECTION 4. That this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.


Councilmember

APPROVED AS TO FORM
AND LEGALITY


Bruce O. Boxberger, City Attorney

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ .M., E.S.

DATE: _____

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Gia Quinta, seconded by Talarico, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 4-24-84

Nadja E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. 8-53-84
on the 24th day of April, 1984,

ATTEST:

(SEAL)

Nadja E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Ray A. Ebert
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of April, 1984, at the hour of 11:30 o'clock A. .M., E.S.T.

Nadja E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 26th day of April, 1984, at the hour of 2 o'clock P. .M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

APPLICATION FOR DESIGNATION
AS AN ECONOMIC REVITALIZATION AREA
-REAL ESTATE TAX ABATEMENT-

This application is to be completed and signed by the owner of the property where development or rehabilitation is to occur. The City of Fort Wayne, Indiana, reviews this application for designation as an "Economic Revitalization Area" in regards to its responsibility under Public Law 69, enacted by the General Assembly of the State of Indiana in 1977; and all subsequent amendments made by the General Assembly thereafter.

1. Applicant Gary E. Leman
2. Owner(s) Gary E. Leman & Ruth N. Leman
3. Address of Owner(s) 11717 Woodstone Place
Fort Wayne, IN 46825
4. Telephone Number of Owner(s) (219) 627-2759
5. Relationship of Applicant to Owner(s) if any Same
6. Address of Applicant Same
7. Telephone number of Applicant () Same
8. Address of Property Seeking Designation Northeast Corner of Trier Road and Hobson Road
9. Legal Description of Property Proposed for Designation (may be attached) _____

10. Townwhip St. Joseph
11. Taxing District 77-0029-0054

12. Current Zoning C-1A(P)
13. Variance Granted (if any) None
14. Current Use of Property
- a. How is property presently used? Vacant lot
- b. What Structure(s) (if any) are on the property? None
- b. What is the condition of this structure/these structures? _____
15. Current Assessed Value of Real Estate 1,900
- a. Land 1,900
- b. Improvements None
16. Amount of Total Property Taxes Owed During the Immediate ~~Past~~ Year
\$85.92
17. Description of Proposed Improvements to the Real Estate An office
to be owned and occupied by applicant of about 2500 square feet with a brick
vaneer
18. Development Time Frame
- a. When will physical aspects of development or rehabilitation begin?
After this application is processed and financial package is completed
- b. When is completion expected? December 1984
19. Cost of Project (not including land costs) Not to exceed \$200,000

20. Permanent Jobs Resulting from Completed Project

a. How many permanent jobs will be employed at or in connection with the project after it is completed? At least 3 and not more than 5 new jobs will be developed

lation of this new manufacturing equipment? None

b. What is the nature of those jobs? Professional insurance sales people and secretarial

c. Anticipated time frame for reaching employment level stated above?

2 years from date of completion

21. Additional municipal services necessitated by installation of new manufacturing equipment (e.g. enlargement of sewer, etc.) None

22. Undesirability for Normal Development

What evidence can be provided that the project property is located in an area "which has become undesirable for, or impossible of, normal development and occupancy because of a lack of age, development, cessation of growth, deterioration of improvements or character of occupancy, obsolescence, substandard buildings or other factors which have impaired values or prevent a normal development of property or use of property"? _____

The property has become undesirable for normal development and occupancy, inasmuch as the property has experienced a sustained lack of development (never has been developed) although adequate public facilities have been present to sustain reasonable development thereon.

23. How will the proposed designation further the economic development objectives of the City of Fort Wayne? 1. By creating space to add new jobs 2. Construction provided for local contractors will increase the tax base 3. Example for Fort Wayne to observe that positive things are continuing to happen.

24. Instrument Number of Commitments or Covenants Enforceably by the City of Fort Wayne or Allen County (if any). Provide brief description of same, or a copy thereof. The North 160 feet of the South 205 feet of east 175 feet of the West 220 feet of the South half of the Northwest Quarter of section 29, Township 31 North, Range East, Allen Co., IN

25. Zoning Restrictions

Will this project require a rezoning, variance, or approval before construction is initiated? YES X NO *
*(Already rezoned 10/83)

26. Financing on Project

What is the status of financing connected with this project?
Regarding the financing of this proposed project, I need all the incentive I can legitimately obtain. Therefore, I applied for the EDC bonds through the city and county which were approved by both. Whether the bonds are ever funded remains unknown. Subsequently, I applied for Real Estate Tax Abatement through the Allen County Council and it was denied because they assumed I would build the project with or without the incentive. They were incorrect. Therefore, I voluntarily annexed this parcel into the city, and now I am making my application to the City Council for Tax Abatement. This tax abatement is an essential item towards the overall financing of this project.

I have a commitment from the Lincoln National Bank to provide financing with a conventional loan, if the EDC bonds do not become a reality. This financing would be at least 13 1/2% floating interest rate. Thus the tax abatement will be essential in my completing this proposed project, especially in the early years when I assume the greatest expense for the project.

I hereby certify that the information and representation on this Application are true and complete.

Gary E. Leman

Signature(s) of Owners

April 12, 1984

Date

Ruth N. Leman

April 12, 1984

Information Below to be filled in by Department of Economic Development:

Date Application Received:

Date Application Forwarded to Law Dept:

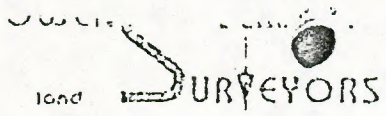
Date of Legal Notice Publication:

Date of Public Hearing:

Date of Building Permit:

Approved or Denied? Date:

Allocation Area:

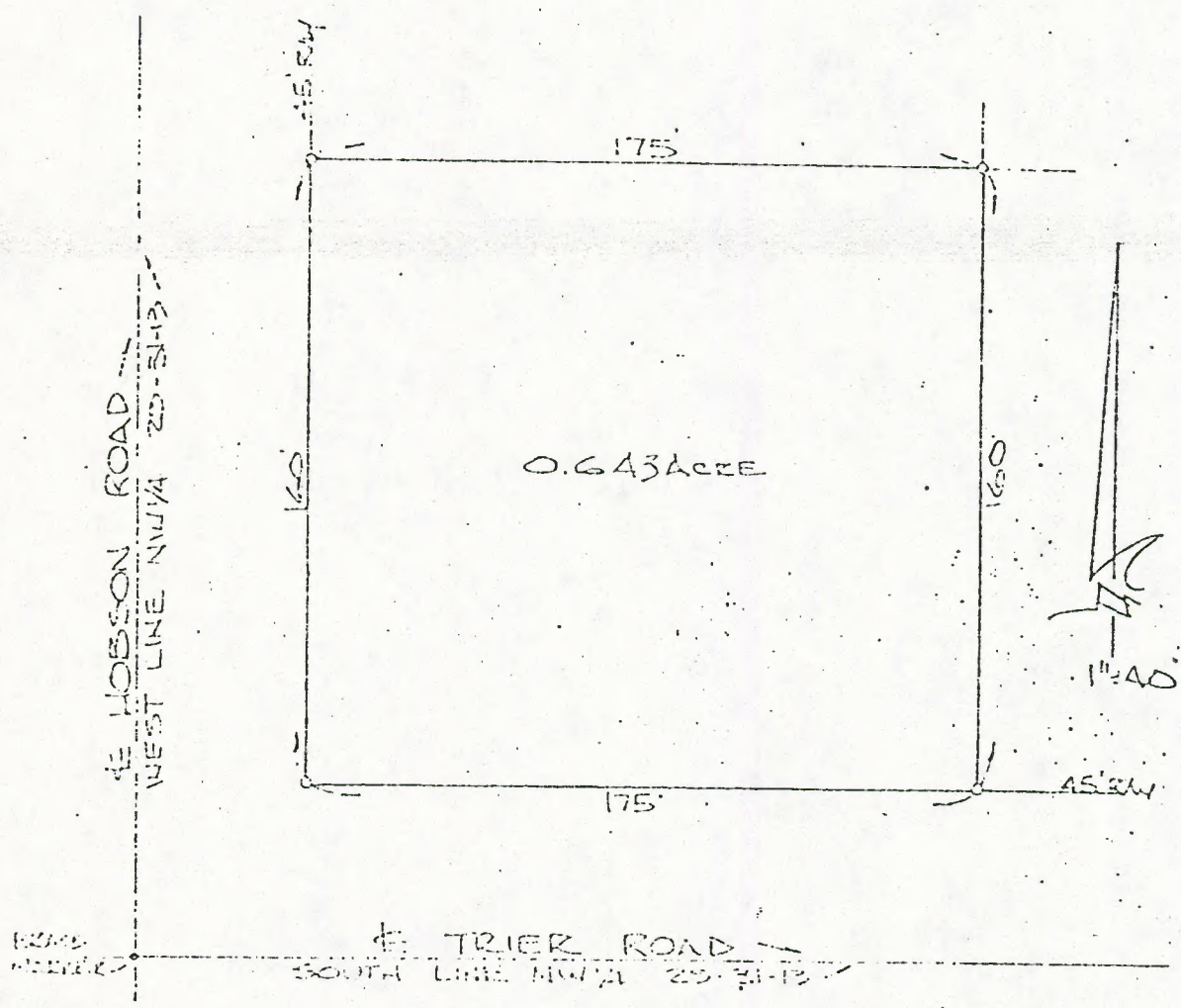


1400 ST STATE BLVD.
FORT WAYNE, IN. 46805
PHONE: 484-7500

CERTIFICATE OF SURVEY

The undersigned Land Surveyor, registered under the Laws of the State of Indiana, hereby certifies that he has made a resurvey of the real estate described and shown below, that measurements were made and monuments were set in conformity with records on file in the office of the Recorder of Allen County, Indiana and that any encroachments or discrepancies found on said real estate are shown below.

Legal description of real estate: The North 100 feet of the South 200 feet of the East 175 feet of the West 270 feet of the South Half of the Northwest Quarter of Section 27, Township 31 North, Range 13 East, Allen County, Indiana containing 0.643 acre and subject to easements of record.



0.643 ACRE

THE ABOVE DESCRIBED PROPERTY DOES NOT LIE WITHIN A FLOOD HAZARD AREA AS SHOWN IN THE RECENT FLOOD HAZARD BOUNDARY MAPS





GARY E. LEMAN
GENERAL AGENT
PH. 219-424-5086
2200 LAKE AVE., SUITE 280
FORT WAYNE, INDIANA 46805

No. 3530

April 12, 1984

71-27
749

Pay to
the order of

City of Fort Wayne

\$ 50.00

Fifty Dollars and -----no/100

LINCOLN NATIONAL BANK

P.O. BOX 900 FORT WAYNE, INDIANA 46801



FOR Tax Abatement Application

Gary E. Lemman

⑈003530⑈ ⑈074900275⑈

448⑈270 5⑈

No. 26 April 12 1984

Received from GARY E. LEMAN

Fifty and -----no/100 Dollars

Tax Abatement Application

\$ 50.00

★ HILSON-JONES CO. U.S.A.

Fred Zing

APPLICATION
TO
FORT WAYNE, INDIANA, ECONOMIC DEVELOPMENT COMMISSION
FOR
ECONOMIC DEVELOPMENT REVENUE BOND FINANCING

A. GENERAL INFORMATION:

1. Applicant's Name: Pines of America, Inc.
2. Address of applicant's principle office and place of business:
5120 Investment Drive
Fort Wayne, Indiana 46808
3. Name of contact person for additional information and notices:
William Hopkins
4. Address of contact person:
Gallucci, Hopkins & Theisen
Lincoln Bank Tower
6th Floor
Fort Wayne, Indiana 46802
5. Phone number of contact person (219) 424-3800

B. PROJECT INFORMATION:

6. What is the proposed amount of the bond issue? (include cost of project plus issuance cost of bonds) \$ 650,000
7. Provide a brief description of the project: Existing
building located at 5021 Investment Drive in Interstate
Industrial Park. Building is 29,184 square feet on 2.8
acres of land expected to be used in manufacture and
distribution of toy products.

8. Itemize the use of the bonds by expenditure category.

<u>Item</u>	<u>Estimated Expenditure</u>
<u>Existing Building & Land</u>	<u>\$ 575,000</u>
<u>Legal & Issuance Fees</u>	<u>15,000</u>
<u>Improvements</u>	<u>80,000</u>
	<u>\$ 670,000</u>
<u>Less Down Payment</u>	<u>20,000</u>
<u>Bonds Total</u>	<u>\$ 650,000</u>

9. If the proceeds of the bond issue are not sufficient to complete the proposed project, itemize the additional amount of funds which will be necessary and indicate the source of such funds. _____

N/A

10. Where is the proposed project to be located? (Give street address and attach a legal description for property as it appears on County Auditor's Records)

5021 Investment Drive, Fort Wayne, Indiana

11. Are architects' renderings or blueprints available on facilities to be constructed? Yes___ No X

If yes, provide a copy of those renderings and blueprints to the coordinator of the Fort Wayne Economic Development Commission.

If no, describe facilities to be constructed.

None

12. Is the project solely within the city limits of Fort Wayne? Yes X No

If no, give the name of the township and/or other municipality in which it is located. _____

13. If project is not located within the city limits of Fort Wayne, will you waive your right to remonstrate annexation? Yes _____ No _____

14. Is the project within the Fort Wayne Community School District? Yes X No

If no, state the name of appilcable school district.

15. What is the approximate size of the tract or parcel of property on which the project is to be situated?

2.8 Acres

16. Is the proposed facility, or a portion thereof, to be leased to another entity or entities? Yes___ NoX

If yes, name the entity or entities and indicate the portion of the project to be leased.

Entity

% Leased.

C. APPLICANT INFORMATION:

17. Type of organization under which the applicant does business (e.g. operation, partnership, sole proprietorship, joint venture).

Corporation

18. Under the laws of what state is the applicant orgnaized?

Indiana

19. Name the business or businesses in which the applicant is engaged.

Manufacture and sale of children's toys

20. Is the applicant qualified to do business in Indiana?
Yes X No

21. How long has the applicant been in operation in Allen County? 15 Years.

22. Please list the names and titles of principal operating personnel.

<u>Name</u>	<u>Title</u>
<u>Lucio Perego</u>	<u>President</u>
<u>Dale Schipper</u>	<u>Vice President-General Manager</u>
<u>Raymond Grierson</u>	<u>Senior Vice President</u>
<u>Steve Stine</u>	<u>Controller</u>
<u> </u>	<u> </u>

24. Are any persons both (a) shareholders or holders of any debt obligation of the applicant; and (b) officers or members of the Fort Wayne Economic Development Commission or the Common Council of the City of Fort Wayne or the Allen County Council? Yes _____ No X

If yes, list that person or persons.

- If yes, list that person or persons.

Warehousing, distribution and light manufacturing.

27. What is the existing zoning classification on the project site? M-2

28. What zoning classification does this project require?

M-2

29. Is the project site within the flood plain or rivergreenway area? Yes No X

30. Does the proposed project need to be located within an economic development target area? Yes No X

31. Will the proposed project have ready access to City water? Yes X No

If no, state the intended source of water for this project.

32. Will the proposed project have ready access to City sewer? Yes X No

If no, do you intend to access that utility, or are septic tank and other temporary sewage treatment and disposal facilities to be used in lieu of sewers?

33. Are any adverse environmental impact anticipated by reason of operation of the proposed project, with particular reference to air, noise or water pollution?
Yes No X

If yes, briefly describe that impact.

E. PUBLIC BENEFIT INFORMATION:

34. State the number of jobs currently employed by the applicant within Allen County. Full Time 252 Part Time 1

35. State the number of jobs to be created by the proposed project once it is placed into operation.

Full Time 20 Part Time --

36. State the number of jobs to be created by the proposed project with three (3) years after it is placed into operation. Full Time 40 Part Time --

37. Briefly describe the category and nature of the new jobs to be created.

Warehousing, shipping, material handling, maintenance,

clerical and light manufacturing.

38. What additional annual payroll will the new jobs generate (a) immediately after the proposed facilities are placed, and (b) within three (3) years thereafter.

(a) \$ 312,000

(b) \$ 624,000

39. If the proposed project would not be approved for tax-exempt financing, is there any substantial possibility that loss of existing jobs would occur within Allen County?
Yes____ No X

If yes, please list the approximate number of jobs to be lost and the approximate net annual payroll lost. Also, give reason for those jobs to be lost.

40. How will the proposed project further the economic development objectives of the City of Fort Wayne?

The acquisition of the project will enhance the
ability of Pines of America to respond to the increas-
ing demand for its products. Fort Wayne benefits
through the increase in jobs available and the economic
impact of more dollars coming into the local economy
for future capital and payroll expenditures.

F. ADVERSE COMPETITIVE EFFECT INFORMATION:

41. Do any current or potential business competitors at present exist within the boundaries of Allen County?
Yes____ No X

If yes, list that competitor(s) and state if the use of tax-exempt economic development revenue bonds for this project will put that competitor(s) at a competitive disadvantage.

42. Will the proposed facility have an adverse competitive effect upon similar facilities already constructed and operating in Allen County? Yes _____ No X

If yes, state that adverse competitive effect.

43. If bond proceeds are to be utilized for construction of a new facility, why could not any existing facilities have met the needs of the applicant?

N/A

G. FINANCIAL AND LEGAL INFORMATION:

44. Applicant's net worth as of the end of the calendar quarter preceeding the date of application.
\$ In excess of \$1 Million

45. Have tentative arrangements been made for the sale of bonds? Yes X No _____

If yes, briefly describe any such arrangements.

Two Indiana banks have expressed an interest in
purchasing the bonds.

46. Has the proposed project been informally reviewed by bond counsel to determine whether it is in accordance with applicable state and federal law? Yes___ No X

If yes, state name and address of the firm of bond counsel.

47. How much equity contribution will be made by the applicant toward this project?

\$20,000

48. Is this a "Loan Through Lender" project? Yes___ No X

If yes, which local bank is providing a commitment for the necessary Letter of Credit (attach copy of same)

H. APPLICANT'S CERTIFICATION:

I/We certify that all information in this application and attached exhibits are true and complete to the best of my /our knowledge and belief. Verification may be obtained from any source named herein.

Pines of America, Inc.

Name of Applicant

1.

BY:

ITS: Vice President-General Manager

SEAL

2.

BY:

ITS: Senior Vice President

Dated this 16th day of March, 19 84.

DIGEST SHEETTITLE OF ORDINANCE Declaratory Resolution

Q-84-04-27

DEPARTMENT REQUESTING ORDINANCE Economic DevelopmentSYNOPSIS OF ORDINANCE A Declaratory Resolution designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1.(Gary E. Leman, Northeast corner of Trier & Hobson Roads)EFFECT OF PASSAGE A 2500 square foot office building will be constructed on a lot that is presently vacant.EFFECT OF NON-PASSAGE Opposite of the above.MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) Not to exceed \$200,000.00

ASSIGNED TO COMMITTEE (PRESIDENT) _____



The City of Fort Wayne

April 24, 1984

Mark GiaQuinta, Chairman of Finance
Fort Wayne Common Council
One Main Street
Fort Wayne, IN 46802

Re: Tax Abatement Application For Gary E. Leman

Dear Mr. GiaQuinta:

On April 12, 1984, an application for tax abatement was filed in the office of the Department of Economic Development requesting designation of the property located at the northeast corner of Trier and Hobson Roads as an "Economic Revitalization Area" for the purposes of tax abatement. The application was then referred to the Law Department for drafting of a Declaratory Resolution.

Action

The Department of Economic Development conducted a staff review of the project on April 16, 1984. A formal review of the site and an interview with Mr. Gary E. Leman was conducted.

Recommendation

Based upon the above action, the Department of Economic Development is recommending to the Common Council a "Do Pass" to your Declaratory Resolution designating:

The north 160 feet of the south 205 feet of the east 175 feet of the west 220 feet of the south half of the northwest quarter of section 29, township north range 13 east, Allen County, Allen County, Indiana containing .643 acres

As an "Economic Revitalization Area" for purposes of I.C. 6-11-12.1, as enacted by the General Assembly of the State of Indiana.

Mark GiaQuinta
April 23, 1984
Page 2

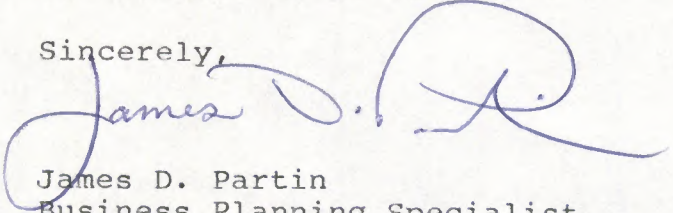
Rationale

The above stated recommendation is based upon the following rationale:

1. Lack of Development
2. Cessation of Growth
3. Effective utilization of vacant underutilized land
4. Improvement of the physical appearance of the City
5. Increase in employment by 5 jobs

If you need any additional information, please do not hesitate to contact me at 427-1127.

Sincerely,



James D. Partin
Business Planning Specialist
Department of Economic Development

th